Case 04-40197 Doc 29 Filed 05/12/06 Entered 05/12/06 10:24:44 Desc Main UNITED STAPES BANKRUPTCY COURT DISTRICT OF UTAH

'06

IN RE: Charles James Dieteman III)	CASE NO. 04-4019	tiar 7	12	7 27 44
Lisa Renee Dieteman	Debtor)))	MOTION FOR PAY OF UNCLAIMED F TO CLAIMANT		Borner of the	in the second se
There having been a c	dividend check	in the a	above named case issu	ued to JJ	Macin	ıtyre
Co, Inc. in the amount of \$1,0	084.16, and said	d check	having not been casl	ned by sa	aid pay	ee,
the trustee pursuant to 11 U.S	S.C. 347 (a) of t	he Ban	kruptcy Code paid th	is unclai	med m	ioney
to Clerk, U.S. Bankruptcy Co	ourt.					
Application is hereby	made for the C	lerk, U	.S. Bankruptcy Court	to pay t	his	
unclaimed money to the right	ful payee listed	above	c/o The Financial Re	sources	Group	, Inc.
and mail to 700 Mechem Driv S 5 5 6 6 Date	ve, Suite 8B, Ru	L F 70	New Mexico 88345 arry L. Moses, Gener inancial Resources G 0 Mechem Drive, Su uidoso, New Mexico	al Manag roup, Inc ite 8B	_	
SUBSCRIBED AND SWORI	N before me thi	N S R	day of Moderate of	Qn	DOC Dhe County	<u>3</u> . ————————————————————————————————————
I hereby certify that a notifica	tion of this app	licatio	n was mailed on 5	5/1	56	_to:
U.S. Attorney U.S. Bankruptcy Court 361 U. S. Courthouse 350 S. Main St. Salt Lake City, UT 84102					OTABL	VBL1C

Case 04-40197 Doc 29 Filed 05/12/06 Entered 05/12/06 10:24:44 Desc Main LIMPPEN POWER OF A TORNEY

KNOW ALL MEN BY THESE PRESENTS, That

J J Macintyre Co., Inc.

have made, constituted and appointed and by these presents do make, constitute and appoint:

The Financial Resources Group, Inc.

my true and lawful attorney-in-fact, for me and in my name, place and stead and for my use and benefit,

ONLY to collect and disburse abandoned funds, or undistributed, unclaimed, or undelivered tenders or funds in the amount of:

\$1,084.16

giving and granting unto my said attorney-in-fact full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done, as fully, to all intents and purposes, as I might or could do if personally present, hereby ratifying and confirming all that my said attorney-in-fact shall lawfully do or cause to be done, by virtue hereof. In construing this instrument, and where the context so requires, the singular includes plural. This Limited Power of Attorney is specifically limited to the collection and disbursement of the abovenamed funds.

NOTARY ACKNOWLEDGEMENT		
State of California		
County of Riverside		
personally known to me identification below) to be the person whose name is su		
WITNESS my hand and official seal.	\	
Signature Sin M Custollo	GINA M. CASTEL COMM. #158106	LC 1
WITNESS my hand and official seal. Signature And Meastelle Residing at Jucaipa California My commission expires: 6-19-09	(seal) NOTARY PUBLIC - CALIFOR RIVERSIDE COUNTY My Comm. Expires June 19, 19	

<u>UNITED STATES BANKRUPTCY COURT I</u>	Alsittlet of Utan	PROOF OF CLAIM
harles James Dieteman III		WEUPTCY COURT
OFE This form should not be used to make a claim for an administrative expen- "request" for payment of an administrative expense may be filed pursuant to 11	se arising after the commencement of the case, U.S.C. § 503.	■ JUN 27 P 2: 21
lame of Creditor (The person or other entity to whom the debtor was money or property):	Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.	 \$TRICT OF UTAH
iame and address where notices should be sent: J.J. MGC. Inty (CO., INC.) 801 CG/1 FORMUS AVE DROPO, CA 92881 clephone number: 951-898-4425	Check box if you have never received any notices from the bankruptcy court in this case. Check box if the address differs from the address on the envelope sent to you by the court.	MAIL THIS SPACE IS FOR COURT USE ONLY
account or other number by which creditor identifies debtor:	Check here Preplaces if this claim Previously	/ filed claim, dated:
1. Basis for Claim	Retiree benefits as defined in 11 U.S.C. Wages, salaries, and compensation (fill Last four digits of SS #: Unpaid compensation for services perform	out below)
2. Date debt was incurred:	3. If court judgment, date obtained:	
If all or part of your claim is secured or entitled to priority, also Check this box if claim includes interest or other charges in additional charges.		attach itemized statement of all
The state of the s	7 Lineau and Defaults Clairs	
5. Secured Claim. Check this box if your claim is secured by collateral (including a right of setoff).	7. Unsecured Priority Claim. Check this box if you have an unsecured Amount entitled to priority \$ Specify the priority of the claim:	l priority claim
5. Secured Claim. Check this box if your claim is secured by collateral (including a right of setoff). Brief Description of Collateral: Real Estate Motor Vehicle	Check this box if you have an unsecured Amount entitled to priority \$	up to \$4,925),* earned within 90 by petition or cessation of the clier - 11 U.S.C. § 507(a)(3).
Secured Claim. Check this box if your claim is secured by collateral (including a right of setoff). Brief Description of Collateral: Real Estate	Check this box if you have an unsecured Amount entitled to priority \$ Specify the priority of the claim: Wages, salaries, or commissions (days before filing of the bankrupte debtor's business, whichever is ear Contributions to an employee bending to \$2,225* of deposits toward property or services for personal, \$ 507(a)(6).	up to \$4,925),* earned within 90 by petition or cessation of the dier - 11 U.S.C. § 507(a)(3). efit plan - 11 U.S.C. § 507(a)(4). purchase, lease, or rental of family, or household use - 11 U.S.C.
Secured Claim. Check this box if your claim is secured by collateral (including a right of setoff). Brief Description of Collateral: Real Estate	Check this box if you have an unsecured Amount entitled to priority \$ Specify the priority of the claim: Wages, salaries, or commissions (days before filing of the bankrupte debtor's business, whichever is east Contributions to an employee bending to property or services for personal, \$ 507(a)(6). Alimony, maintenance, or support or child—11 U.S.C. § 507(a)(7).	ap to \$4,925),* earned within 90 by petition or cessation of the clier - 11 U.S.C. § 507(a)(3). efit plan - 11 U.S.C. § 507(a)(4). purchase, lease, or rental of family, or household use - 11 U.S.C. owed to a spouse, former spouse,
S. Secured Claim. Check this box if your claim is secured by collateral (including a right of setoff). Brief Description of Collateral: Real Estate	Check this box if you have an unsecured Amount entitled to priority \$ Specify the priority of the claim: Wages, salaries, or commissions (days before filing of the bankrupte debtor's business, whichever is ear Contributions to an employee bending to be a contribution of the property or services for personal, \$ 507(a)(6). Alimony, maintenance, or support	up to \$4,925),* earned within 90 by petition or cessation of the clier - 11 U.S.C. § 507(a)(3). efit plan - 11 U.S.C. § 507(a)(4). purchase, lease, or rental of family, or household use - 11 U.S.C. owed to a spouse, former spouse, mental units - 11 U.S.C. § 507(a)(8). aph of 11 U.S.C. § 507(a)(). 4/1/07 and every 3 years thereafter
S. Secured Claim. C. Check this box if your claim is secured by collateral (including a right of setoff). Brief Description of Collateral: Real Estate	Check this box if you have an unsecured Amount entitled to priority \$ Specify the priority of the claim: Wages, salaries, or commissions (days before filing of the bankrupte debtor's business, whichever is east Contributions to an employee bend Up to \$2,225* of deposits toward property or services for personal, \$507(a)(6). Alimony, maintenance, or support or child -11 U.S.C. \$507(a)(7). Taxes or penalties owed to govern Other - Specify applicable paragre* *Amounts are subject to adjustment on with respect to cases commenced on or	up to \$4,925),* earned within 90 by petition or cessation of the clier - 11 U.S.C. § 507(a)(3). efit plan - 11 U.S.C. § 507(a)(4). purchase, lease, or rental of family, or household use - 11 U.S.C. owed to a spouse, former spouse, mental units - 11 U.S.C. § 507(a)(8). aph of 11 U.S.C. § 507(a)(). 4/1/07 and every 3 years thereafter
Secured Claim. Check this box if your claim is secured by collateral (including a right of setoff). Brief Description of Collateral: Real Estate	Amount entitled to priority \$ Specify the priority of the claim: Wages, salaries, or commissions (days before filing of the bankrupte debtor's business, whichever is ear Contributions to an employee bender of the contributions of the contributions of the contributions of the contribution of the co	I priority claim up to \$4,925),* earned within 90 ry petition or cessation of the clier - 11 U.S.C. § 507(a)(3). efit plan - 11 U.S.C. § 507(a)(4). purchase, lease, or rental of family, or household use - 11 U.S.C. owed to a spouse, former spouse, mental units - 11 U.S.C. § 507(a)(8). aph of 11 U.S.C. § 507(a)(). 4/1/07 and every 3 years thereafter ofter the date of adjustment.
Secured Claim. Check this box if your claim is secured by collateral (including a right of setoff). Brief Description of Collateral: Real Estate	Amount entitled to priority \$ Specify the priority of the claim: Wages, salaries, or commissions (days before filing of the bankrupte debtor's business, whichever is ear Contributions to an employee bender of the contributions of the contributions of the contributions of the purpose of the contributions of the purpose of the contributions, attach a summary. The contributions of the purpose of the contributions, attach a summary. The contributions to an employee bender of the purpose of the purpose of the purpose of the contributions, attach a summary. The contributions to an employee bender of the purpose of the purp	up to \$4,925),* earned within 90 by petition or cessation of the clier - 11 U.S.C. § 507(a)(3). efit plan - 11 U.S.C. § 507(a)(4). purchase, lease, or rental of family, or household use - 11 U.S.C. owed to a spouse, former spouse, mental units - 11 U.S.C. § 507(a)(8). aph of 11 U.S.C. § 507(a)(). 4/1/07 and every 3 years thereafter after the date of adjustment. THIS SPACH IS FOR COURT USE ONLY Please mail this claim form to: 1. S. Bankruptcy Court 350 South Main St., Rm. 301

0440197C4

P.O. Box 78150 Corona, California 92877 (951) 898-4425

June 25, 2004

Clerk U.S. Bankruptcy Court Attn: Claims Department 350 South Main #301 Salt Lake City, UT 89401

Accnt#

191079

Original Creditor: Mpower Communications

Please be advised that the following balance due to J.J. MacIntyre co. on the above referenced account.

PRINCIPAL BALANCE:

\$ 1,798.82

INTEREST TO DATE:

\$ 430.61

Note: Interest is accrued at 10% per annum in accordance with Civil Code §3289:

THIS IS A DEBT COLLECTION AGENCY.

THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE

April	15.	2001	Page	2A

Account 702-319-6751 191079 DETAIL F	OR: 702-319-6751		
Prorated charges:			
RESIDENTIAL LINE (03/07-04/14)		-10.29	
FEDERAL LINE CHARGE 1ST (03/07-04/14)		-5.13	
CALLER ID (03/07-04/14)		-10.18	
CCF PKG #1 (INCL CW) (03/07-04/14)		-15.28	
NON-PUBLISHED SERVICE (03/07/-04/14)	A grand Shear gr	98	TO BE A TO SEE THE PLANT OF THE SERVEN
LD BLOCK-EXCLUDING 800#S (03/07-04/14)		.00	-41.86
Taxes & surcharges:			
FRANCHISE TAX CLARK CO FEDERAL TAX	en gerken i Romande og en en er Grenne en en græde skapter	-1.68 -1.26	e eine Stemanisch Sch
			-1.44
FED UNIVERSAL SVCB FUND		1.50	-43.30
TOTAL 702-319-6751	٠, ٠		
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DATE DUG 05/03/2001

TELEPHONE NUMBER 702-319-6751

ACCOUNT NUMBER 191079

AMOUNT DUE 1799.82

PAYMENT ENCLOSED

RT

Please indicate amount enclosed Please Do Not Send Cash

Make check of money order payable to

PUBLISH FOR THE ONO PERFORATION, DETECTIONARIES IN REPORTED WITH YOUR PAYMENT

LISA SANGSTER 4663 FOUR LEAF CLOVER DR LAS VEGAS, NV 89122-6109

ADDRESS CORPECTION REQUERTED

MPOWER COMMUNICATIONS P.O. BOX 60767 LOS ANGELES, CA 90060-0767

ASBAP71000010005E020P701P1



P.O. Box 60767 Los Angeles, CA 90060-0767 Toll Free 1 (888) 636-2645 Phone 1 (702) 310-3100 Toll Free Fax 1 (866) 891-2088

Web: www.mpowercom.com

TELEPHONE NUMBER	02-319-6751
ACCOUNT NUMBER	191079
STATEMENT DATE	04/15/2001
DATE DUE	05/03/2001

PREVIOUS BALANCE	1842.12
PAYMENTS/ADJUSTMENTS	. 00
BALANCE FORWARD	1842.12
CURRENT CHARGES	-43.30
AMOUNT DUE	1798 82

DESCRIPTION	AMOUNT	COMMENTS
Previous balance forward Payments/adjustments Balance forward	1842.12 .00 1842.12	Payments received after 04/09/01 are not included.
Current charges: Other charges/credits Taxes and surcharges	-41.86 -1.44	
Total current charges	-43.30	
TOTAL AMOUNT DUE	1798.82	

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ADDRESS CORRECTION REQUESTED

Please indicate amount enclosed Please Do Not Send Cash

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LISA SANGSTER 4663 FOUR LEAF CLOVER DR LAS VEGAS,NV 89122-6109 TWE COMMUNICATIONS

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mpower.

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Communications
D. Box 60767

P.O. Box 60767 Los Angeles, CA 90060-0767 Toll Free 1 (888) 638-2645 Phone 1 (702) 310-3100 Toll Free Fax 1 (866) 891-2088 Veb. www.npowercom.com

702-319-675.
19107
06/15/200
07/03/200

PILLY CUR BALANCE	1798.82
P. T. CHITA POUNTMENTS	.00
14, 4 SCE FORWARD	1798.82
STAR NECHARGES	.00
- WOUNT DUE	1798.82

DESCRIPTION	AMOUNT	COMMENTS
Previous balance forward Payments/adjustments Balance forward	1798.82 .00 1798.82	e byred dis roceived after 06/06/01 are not
Current charges:		
Total current charges		
TOTAL AMOUNT DUE	1798.82	

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Communications	

DATE DUE 06/01/2001 702

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PAYMENT ENCLOSED

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LISA SANGSTER 4663 FOUR LEAF CLOVER DR LAS VEGAS,NV 89122-6109

ADDRESS CORRECTOR REQUESTED

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Mpower &

P.O. Box 60767 Los Angeles, CA 90060-0767 Toll Free 1 (888) 636-2645 Phone 1 (702) 310-3100 Toll Free Fax 1 (866) 891-2088 Web: www.mpowercom.com

TELEPHONE NUMBER	702-319-675.
ACCOUNT NUMBER	19107:
STATEMENT DATE	05/15/200:
DATE DUE	06/01/200

FALANCE	1798.82
THE TOP COUSTMENTS	.00
- ABATE FORWARD	1798.82
THRONT CHARGES	.00
INT DUE	7798 82

NEW PORTION WITH YOUR PAYMENT

DESCRIPTION	AMOUN T	COMMENTS
Previous balance forward Payments/adjustments	1798.82 .00	dure doived after 05/08/01 are not
Balance forward	1798.82	power interential rate is Increas-
Current charges:		The reserve to 2001. The new line was a least include Call Waiting, all how a sing and caller ID at the
		costroper's option, if you are cur- cently a septential customer, your the combine sepain the same at combined secation unless you
		est conceine to another rate plan. ie and the rate will apply to ner move that added.
Total current charges	<u>.</u>	na . I see chiversal Service Fund 1 of R I ring increased from \$.30 \$0.10 beginning with this bill.
TOTAL AMOUNT DUE	1798.82	
• •		

FINANCIAL STATEMENTS
WITH
INDEPENDENT AUDITORS' REPORT

FOR THE YEAR ENDED DECEMBER 31, 2005

TABLE OF CONTENTS

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Statement of Assets, Liabilities, and Stockholders' Equity - Income Tax Basis	2
Statement of Revenues, Expenses, and Retained Earnings - Income Tax Basis	3
Notes to Financial Statements	4-6

Michael R. Adcock, CPA
Thomas E. Ahern, CPA
Linda S. Devlin, CPA
Janell M. Fratt, CPA
Wing K. Lau, CPA
Andrew Steinke, CPA
Nora L. Teasley, CPA
A California Limited Liability Partnership

Certified Public Accountants

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Document Face 11 of 17

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American Institute of Certified Public Accountants Private Companies Practice Section

Members

Employee Benefit Plan Audit Quality Center

California Society of Certified Public Accountants

Independent Auditors' Report

To the Board of Directors J. J. Mac Intyre Co., Inc.

We have audited the accompanying statement of assets, liabilities, and stockholders' equity – income tax basis of J. J. Mac Intyre Co., Inc. (the "Company") as of December 31, 2005 and the related statement of revenues, expenses, and retained earnings – income tax basis for the year then ended. These financial statements are the responsibility of the Company's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As described in Note 1, these financial statements were prepared on the basis of accounting the Company uses for income tax purposes, which is a comprehensive basis of accounting other than United States generally accepted accounting principles.

In our opinion, the financial statements referred to above present fairly, in all material respects, the assets, liabilities, and stockholders' equity of J. J. Mac Intyre Co., Inc. as of December 31, 2005, and its revenues and expenses and changes in stockholders' equity for the year then ended, on the basis of accounting described in Note 1.

Ahern • Adcock • Devlin LLP Certified Public Accountants

February 3, 2006

By: Michael R. Adcock, CPA

Statement of Assets, Liabilities, and Stockholders' Equity - Income Tax Basis

December 31, 2005

ASSETS Current assets		
Cash		\$ 499,398
Advances receivable from employees Deposits		200 5,000
Total current assets		504,598
Equipment		
Furniture, fixtures, and office equipment Less accumulated depreciation		417,358 (301,585)
•		
Net equipment		115,773
Other assets Goodwill, net of amortization of \$1,044,888		2,930,112
Total assets		\$3,550,483
Total assets		ა <u>აკაას,4ია</u>
LIABILITIES AND STOCKHOLDERS' EQUITY Current liabilities		
Current portion of long-term debt		\$ <u>278,691</u>
Total current liabilities		278,691
Long-term liabilities		
Long-term debt		<u>2,971,088</u>
Total liabilities		3,249,779
Stockholders' equity		
Common stock, no par value Authorized: 250,000		
Issued and outstanding: 1,000 shares	•	10,000
Additional paid-in capital Retained earnings		121,840 168,864
Total stockholders' equity		300,704
Total liabilities and stockholders' equity	·	\$ <u>3,550,483</u>

Statement of Revenues, Expenses, and Retained Earnings - Income Tax Basis

For the Year Ended December 31, 2005

Revenues	
Commissions and fee income	\$8,032,448
Other income	74,029
Total revenues	8,106,477
Operating expenses	
Depreciation and amortization	313,304
Advertising, selling, and promotional	69,603
Auto expenses	30,504
Bank charges, collection expenses, and credit card fees	312,016
Building and equipment rental	790,470
Commissions and incentives	110,651
Insurance	33,130
Legal, accounting, professional, computer support, and consulting fees	207,202
Office expenses	122,735
Postage and shipping	447,721
Salaries, wages, and related expenses	4,224,071
Taxes and licenses	58,427
Telephone, utilities, and repairs	280,540
Travel, seminars, meals, and entertainment	93,264
Total operating expenses	7,093,638
Operating income	1,012,839
Other income (expense)	
Interest income	36,215
Interest expense	(171,592)
	(1,1,0,2)
Income before income taxes	877,462
Income taxes	25,218
Net income	852,244
Retained earnings	
Balance, beginning of year	236,253
Dividends paid	(919,633)
Balance, end of year	\$ 168,864
paration, one or your	φ <u>100,004</u>

Notes to Financial Statements

1. Basis of Presentation and Significant Accounting Policies

J. J. Mac Intyre Co., Inc. (the "Company") was incorporated March 11, 2002. The Company offers collection services on a national basis and maintains offices in California and Nevada. The majority of the Company's operations and customers are located in California.

Basis of Accounting

The accounting method used in the preparation of the accompanying financial statements is the same method used by the Company to prepare its federal and state income tax returns. This differs from the accrual method in that depreciation deductions and amortization of goodwill follow federal income tax laws. Accordingly, these statements are not intended to purport financial position or results of operations in accordance with United States generally accepted accounting principles.

Cash

The Company has cash in financial institutions which is insured by the Federal Deposit Insurance Corporation (FDIC) up to \$100,000 at each institution. At various times throughout the year, the Company may have cash balances at financial institutions which exceed the FDIC insurance limit. Management reviews the financial condition of these financial institutions on a periodic basis and does not believe this concentration of cash results in a high level of risk for the Company.

Income Taxes

The Company has elected to be taxed as an "S" corporation for federal and state of California purposes. Under federal tax provisions, the Company does not pay federal corporate taxes on its income. Instead, the shareholders are liable for income taxes on their respective share of taxable income and other distributable items. The state tax treatment is substantially the same as the federal, except for a 1.50 percent tax imposed in the state of California on the Company's taxable income and corporate taxes as applicable, imposed by other states.

Property and Equipment

Property and equipment are carried at cost. Depreciation is calculated using the Modified Accelerated Cost Recovery System (MACRS) and other special depreciation allowable under the tax laws. The lives used for depreciation purposes are those permitted for income tax purposes; therefore, some assets may be depreciated faster than their estimated useful lives.

Goodwill

In connection with the initial acquisition by the Company of the collection business and acquisition of the second collection agency in June 2003, the excess of the acquisition cost over the book value of the assets acquired has been recorded as goodwill. In accordance with the income tax basis of accounting described above, goodwill is being ratably amortized over 15 years under Section 197 of the Internal Revenue Code.

Notes to Financial Statements

1. Basis of Presentation and Significant Accounting Policies (Continued)

Compensated Balances

In accordance with the tax basis, the Company's policy is to recognize the costs of compensated absences when actually paid to employees.

Use of Estimates

The preparation of financial statements requires management to make estimates and assumptions that affect the amounts reported in the financial statements and disclosures made in the accompanying notes to the financial statements. While management believes these estimates are adequate, actual results could differ from those estimates.

Major Customer

One major customer provided \$1,024,934 and 12.6 percent of the total net revenues for 2005.

2. Long-term Debt

Long-term debt consists of the following at December 31, 2005:

Promissory note

Maturity date: December 2007

Interest rate: 5.0%

Repayment provision: Monthly installments of \$4,606, including interest

Balance \$ 104,985

Codar, Inc.

Maturity date: December 2016

Interest rate: 5.0%

Repayment provision: Minimum monthly installments of \$31,632,

including interest

Security: Secured by substantially all of the Company's assets and guaranteed

by the stockholders

Balance 3,144,794
3,249,779
Less current portion (278,691)

\$2,971,088

Notes to Financial Statements

2. Long-term Debt (Continued)

Maturities of long-term debt are as follows:

For the year ending December 31,		
2006		\$ 278,691
2007		292,950
2008		251,383
2009	•	264,244
2010		277,764
Thereafter		1,884,747
		\$3,249,779

3. Related Party Transactions

The Company leases buildings, facilities, and equipment from Collection Recovery Services, LLC, a related corporation owned by the stockholders of the Company, under a 20 year noncancelable lease expiring April 30, 2022. The related rental expense was \$720,000 for the year.

The future minimum rental payments under this lease are as follows:

For the year ending December 31,	
2006	\$ 720,000
2007	720,000
2008	720,000
2009	720,000
2010	720,000
Thereafter	8,160,000
	\$11.760.000

4. Contingencies

During the normal course of business, the Company routinely files numerous legal actions to collect amounts assigned to it for collection. At year-end, the Company had some claims against it relating to collection activities and an employment contract. Management believes that these matters are covered under the Company's liability insurance and indemnification agreement and that the uncovered losses, if any, would not have a material effect on the financial statements.

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THE FINANCIAL RESOURCES GROUP, INC.

700 MECHEM DRIVE, SUITE 8B RUIDOSO, NEW MEXICO 88345 TELEPHONE 800-820-0597 FAX 800-820-0597

Friday, May 05, 2006

Ms. Kellie Wood Financial Deputy U.S. Bankruptcy Court 360 U.S. Courthouse 350 S. Main Street Salt Lake City, UT 84101

Re: Application for Payment of Unclaimed Funds

DEBTOR:

Charles James Dieteman III & Lisa Renee Dieteman

CASE NO.

04-40197

CREDITOR:

JJ Macintyre Co, Inc.

AMOUNT:

\$1,084.16

Dear Ms. Wood:

Enclosed, please find the necessary documents for our clients application for payment of unclaimed funds in the above referenced case.

Please advise me if any further information is required.

Sincerely,

Sabrina\Randolph Office Manager

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enclosures